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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

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13 UNITED STATES OF AMERICA,) CASE NO. CR.S-05-0046 LKK
14 Plaintiff/Appellee,) ORDER AFTER HEARING
15 v.)
16 KIM J. ANDERSON,)
17 Defendant/Appellant.) DATE: May 10, 2005
18) TIME: 9:30 a.m.
19) COURT: Hon. Lawrence K. Karlton

20 This matter was before the Court May 10, 2005, for status
21 hearing regarding the appointment of counsel. When the case was
22 first called, Assistant U.S. Attorney Carolyn K. Delaney appeared on
23 behalf of the United States and Assistant Federal Defender Jeffrey
24 L. Staniels appeared with the defendant/appellant, Kim J. Anderson.
25 After Mr. Staniels reported that the defendant qualified for the
26 appointment of counsel, the Court appointed the Federal Defender's
27 Office to represent the defendant in this appeal of his misdemeanor
28 conviction. The Court then established the following schedule:

Reporters Transcripts shall be filed within 30 days;

The defendant/appellant's opening brief shall be served and
filed within 21 days after the filing of the transcripts;

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1 The government's responsive brief shall be filed within 21 days
2 after service of the defendant's opening brief;

3 The defendant's reply brief, if any, shall be served and filed
4 within five court days after service of the government's responsive
5 brief;

6 A hearing is scheduled for August 23, 2005 at 9:30 a.m. for
7 oral argument on the appeal.

8 The case was re-called at the request of the parties.
9 Assistant U.S. Attorney Samantha S. Spangler appeared on behalf of
10 the government. Mr. Staniels appeared on behalf of the defendant,
11 who was not present. The defendant requested that the Court stay
12 the execution of the sentence until after the disposition of the
13 appeal. Ms. Spangler notified the Court that a status hearing was
14 scheduled for August 17, 2005 before Magistrate Judge Gregory G.
15 Hollows; the defendant was ordered to appear if the \$500 fine,
16 \$1,700 restitution, and \$30 special assessment had not been paid by
17 that date. The Court granted the stay of execution of the sentence
18 pending the disposition of this appeal and ordered the August 17,
19 2005 hearing vacated.

20 IT IS SO ORDERED.

21 DATED: May 12, 2005

/s/Lawrence K. Karlton
LAWRENCE K. KARLTON, JUDGE
UNITED STATES DISTRICT COURT